

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Brian Albert Wittman
Serial No.:	10/517,574
Filed:	December 9, 2004
For:	DATA TRAFFIC FILTERING INDICATOR

By: E-File

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.313(C)**  
**TO WITHDRAW FROM ISSUE**

Sir:

The present application is scheduled to issue on June 22, 2010, with US Patent Number 7,743,410. However, Applicant hereby petitions to have this application withdrawn from issue pursuant to 37 C.F.R. § 1.313(c)(2) so that an RCE can be filed, and so that an IDS can be submitted. A corresponding foreign application in being prosecuted in the EPO, and the EPO Examiner has recently prepared a supplemental search report in which 4 new references are listed as "X" references. Applicant wishes to have these references considered in the present US application. Applicant believes that the consideration of the four new references from the EPO provides good and sufficient reasons for withdrawing the application from issue, and also provides a specific and significant defect in the application that justifies withdrawal from issue.

Please charge the required petition fee of \$130, as provided by 37 C.F.R. § 1.17(h), to Applicant's Deposit Account No. 07-0832. Additionally, in the event that any additional fees or charges are required at this time in connection with the application, or any credits are due, they are authorized and may be charged (or credited) to Applicant's Deposit Account No. 07-0832.

A Request for Continued Examination, and an Information Disclosure Statement, are being filed concurrently herewith.

Respectfully submitted,

/Brian J. Dorini/

By: Brian J. Dorini, Attorney for Applicants  
Registration No.: 43,594  
(609) 734-6817

Patent Operations  
Thomson Licensing Inc.  
P.O. Box 5312  
Princeton, NJ 08543-5312

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